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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,456	09/10/2003	Magnus Jendbro	9342-108	7152
20792	7590	04/22/2004	EXAMINER	
MYERS BIGEL SIBLEY & SAJOVEC			PHAN, DAO LINDA	
PO BOX 37428			ART UNIT	
RALEIGH, NC 27627			PAPER NUMBER	
			3662	

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/661,456

Applicant(s)

JENDBRO ET AL.

Examiner

Dao L. Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

1. The drawings are objected to because fig. 1 is missing. A proposed drawing correction or corrected drawings is required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Pihl et al (Pat. No. 6,625,458) or Younis (US 2002/0168988).

Pihl et al teach a position determination circuit and a method for determining the position of a mobile terminal including determining (col 1, lines 18+) the position of the mobile terminal 10 based on signals received at the mobile terminal from satellite positioning system transmitters 36 and location assistance information 34 received at the mobile terminal from an ad hoc protocol wireless transmitter.

With regard to claims 17, and 30, Pihl et al teach a position determination circuit and a method for determining the position of a mobile terminal including receiving 12 location signals from satellite positioning system transmitters, receiving 12 location assistance information 34 from a wide area wireless communication network, receiving

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12 location assistance information from a local wireless transmitter, and determining (col 1, lines 18+) the position of the mobile terminal based on the received location signals from the satellite positioning system transmitters and location assistance information.

With regard to claims 13 and 34, Pihl et al teach a method for providing location assistance information to a mobile terminal and a location assistance information provider apparatus including an ad hoc protocol wireless receiver 30 configured to receive service discovery requests, an ad hoc protocol wireless transmitter 30 configured to transmit a response to a received service discovery request, and a location assistance information access circuit 32 configured to obtain the location assistance information and provide obtained location assistance information to the ad hoc protocol wireless transmitter.

Younis teaches a position determination circuit and a method for determining the position of a mobile terminal including determining 24 the position of the mobile terminal based on signals received at the mobile terminal from satellite positioning system transmitters 42 and location assistance information (34; 14; abstract) received at the mobile terminal from an ad hoc protocol wireless transmitter.

With regard to claims 17, and 30, Younis teaches a position determination circuit and a method for determining the position of a mobile terminal including a satellite positioning system signal processing circuit 26 configured to process location signals from satellite positioning system transmitters, a wireless transceiver 14 configured to communicate with a wide area wireless communication network in an associated format

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defined by a protocol of the network, a wireless transceiver 14 configured to communicate with a local wireless transmitter in the associated format to request and receive location assistance information, and a position computation circuit 24 configured to determine the position of the mobile terminal based on the location signals from the satellite positioning system transmitters and location assistance.

With regard to claims 13 and 34, Younis teaches a method for providing location assistance information to a mobile terminal and a location assistance information provider apparatus including an ad hoc protocol wireless receiver 14 configured to receive service discovery requests, an ad hoc protocol wireless transmitter 14 configured to transmit a response to a received service discovery request, and a location assistance information access circuit (fig. 2, 24) configured to obtain the location assistance information and provide obtained location assistance information to the ad hoc protocol wireless transmitter.

4. Claims 1, 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Taylor et al (Pat. No. 4,445,118).

Taylor et al teach a position determination circuit and a method for determining the position of a mobile terminal including determining the position of the mobile terminal 14 based on signals received at the mobile terminal from satellite positioning system transmitters 16 and location assistance information (abstract) received at the mobile terminal from an ad hoc protocol wireless transmitter.

5. Claims 13, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Overy et al (US 2003/0129993).

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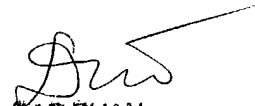
Overy et al a method for providing location assistance information to a mobile terminal and a location assistance information provider apparatus including an ad hoc protocol wireless receiver 4, 30 configured to receive service discovery requests, an ad hoc protocol wireless transmitter 4, 30 configured to transmit a response to a received service discovery request, and a location assistance information access circuit (fig. 5; 20; abstract) configured to obtain the location assistance information and provide obtained location assistance information to the ad hoc protocol wireless transmitter.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dao L. Phan whose telephone number is (703)306-4167. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tarcza Thomas can be reached on (703)306-4171. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DAO PHAN
PATENT EXAMINER